

**SULLIVAN CROMWELL ESQS.**  
**ATTN: DAVID LIEBOV**

U.S. DIST. COURT SOUTHERN/NY COUNTY

Index No. **07CIV2875**

EDGAR BRONFMAN JR. plaintiff

- against -

VIVENDI, S.A. ("VIVENDI") ETAL defendant

STATE OF NEW YORK, COUNTY OF NEW YORK

**MICHAEL C. LEVIEN** being duly sworn, deposes and says:

I am over 18 years of age, not a party to this action, and reside in the State of New York.

That on the 3<sup>rd</sup> day of May 2007 at 8:55 PM at  
300 Central Park West, Apt 2H New York, NY 10024

I served a true copy of the **Summons and Complaint**

Upon **THE BENEFIT EQUALIZATION PLAN OF VIVENDI, S.A.**

**The Defendant** therein named, by delivering to, and leaving personally with:

**Sarah J. Frank, a member of the Human Resources Committee of Vivendi S.A, which administers the Benefit Equalization Plan**

a true copy of each thereof.

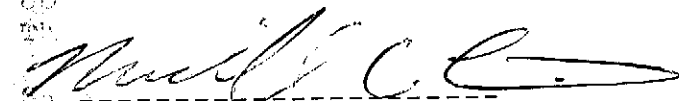
Deponent describes the person served as aforesaid to the best of Deponent's ability at the time and circumstances of the aforesaid service as follows:

Sex: **Female**  
App. Age: **60 yrs.**

Color: **White**  
App. Ht: **5'5"**

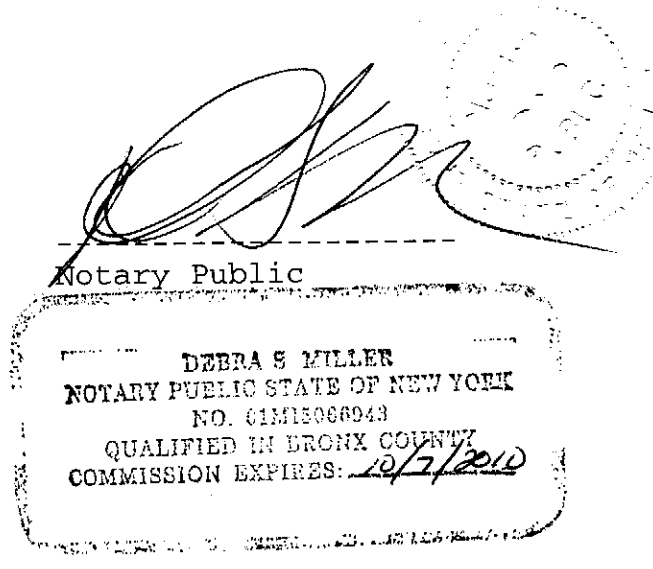
Hair: **Brown**  
App Wt: **125 lb**

Sworn to before me this  
6<sup>th</sup> day of May 2007



Michael C. Levien  
The Arkin Group LLC  
590 Madison Avenue, 35<sup>th</sup> Floor  
New York, New York 100022

Notary Public



DEBRA S MILLER  
NOTARY PUBLIC STATE OF NEW YORK  
NO. 01M15066943  
QUALIFIED IN BRONX COUNTY  
COMMISSION EXPIRES: 10/7/2010